

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 22-CR-430-JFH

MICHAEL FOSTER GOODROAD,

Defendant.

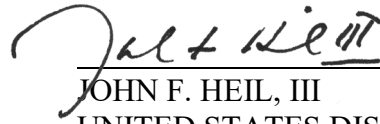
OPINION AND ORDER

Before the Court is a motion for leave to dismiss without prejudice (“Motion”) filed by the United States of America (“Government”). Dkt. No. 151. The Government requests leave to dismiss the superseding indictment [Dkt. No. 120] without prejudice as to Defendant Michael Foster Goodroad (“Defendant”). *Id.* The superseding indictment was filed on April 5, 2023. Dkt. No. 120. Defendant pled guilty to the original indictment on March 20, 2023. *See* Dkt. No. 111; Dkt. No. 112.

Under Fed. R. Crim. P. 48(a), “courts must grant prosecutors leave to dismiss charges unless dismissal is clearly contrary to manifest public interest.” *United States v. Robertson*, 45 F.3d 1423, 1437 n.14 (10th Cir. 1995) (quoting *Rinaldi v. United States*, 434 U.S. 22, 30 (1977)). The Court concludes that dismissal of the superseding indictment against Defendant is not contrary to the public interest, nor is it for an improper purpose. The Government’s motion to dismiss should be granted.

IT IS THEREFORE ORDERED that the Government’s motion to dismiss [Dkt. No. 151] is GRANTED and the superseding indictment [Dkt. No. 120] only is dismissed without prejudice as to Defendant Michael Foster Goodroad. The original indictment [Dkt. No. 33] and Defendant’s guilty plea to it are unaffected by this Order.

Dated this 14th day of April 2023.

A handwritten signature in black ink, appearing to read "John F. Heil, III", is written over a horizontal line.

JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE